

21. Approve Change Order #6 to FC-1142-00/BJC – County Road 427, Phases V and VI, with Bergeron Land Development, Kissimmee (\$43,515.95) (Time Extension).

FC-1142-00/BJC provides for all labor, materials, equipment, coordination and incidentals necessary for the construction of a four (4) lane urban roadway approximately 1.25 miles in length along an existing two (2) lane corridor from U.S. 17/92 to Hester Avenue (C.R. 427 – Phase V) and for the construction of a four (4) lane urban roadway expandable to a six (6) lane roadway approximately 2 miles in length along an existing two (2) lane corridor from Hester Avenue to Lake Mary Boulevard (C.R. 427 – Phase VI). Change Order #6 will provide for a revised scope for Roadway Landscaping, relocation of existing canopies and fences for driveway construction per property acquisitions, new fencing in accordance with the site plan for the Kids House of Seminole County, extension of existing contract item for subsoil excavation and yard drains and the adjustment of existing manholes. An additional ninety-four (94) days of contract time is required for the completion of this project. The following is the summary of the cost of this contract:

Original Contract Sum	\$8,145,604.69
Change Orders 1 thru 5	107,363.24
Add Change order #6	<u>43,515.95</u> (+ 94 days)
Revised Contract Sum	\$8,296,483.88

Funds are available in account numbers 077515-56067000 (Engineering, Roads) and 077521-56067000 (Arterial Road Projects, Roads) CIP #DE56047Z. Public Works/Engineering and Fiscal Services/Purchasing and Contracts Division recommend the Board to approve and authorize the Chairman to execute the Change Order.

**SEMINOLE COUNTY, FLORIDA
CHANGE ORDER FOR CONSTRUCTION PROJECTS**



Engineering Division

PURCHASING DIVISION
(407) 321-1130

1101 E. First Street
Sanford, FL 32771

CONTRACT NO: FC-1142-00/BJC

INITIATION DATE: 01/20/03

ORIGINAL

CONTRACT DATE: June 21, 2001

CHANGE ORDER NO: 06

ACCOUNT NO: 077515-56067000 26%
077521-66067000 74%

ARCH/ENG PROJECT: # DE560472

CONTRACT FOR: County Road 427, Phase V & VI

(0072-02)

YOU ARE REQUESTED TO MAKE THE FOLLOWING CHANGE (S) IN THIS CONTRACT:

See Attachment A

REASON FOR CHANGE(S):

See Attachment B

ORIGINAL CONTRACT SUM:	\$	<u>8,145,604.69</u>
CONTRACT SUM PRIOR TO THIS CHANGE ORDER	\$	<u>8,252,967.93</u>
CHANGE ORDER (increase) (decrease) (unchanged)	\$	<u>43,515.95</u>
NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER WILL BE	\$	<u>8,296,483.88</u>
CONTRACT TIME WILL BE (increased) (decreased) (unchanged)		
BY <u>(94)</u> CALENDAR DAYS		<u>94</u>
FINAL COMPLETION DATE THROUGH THIS CHANGE ORDER		<u>May 1, 2003</u>

WAIVER This Change Order constitutes full and mutual accord and satisfaction for the adjustment of Contract Price and Time as a result of increases or decreases in costs and time of performance caused directly and indirectly from the change. Acceptance of this Waiver constitutes an agreement between COUNTY and CONTRACTOR that the Change Order represents an equitable adjustment to the Agreement and that CONTRACTOR shall waive all rights to file a Contract Claim or claim of any nature on this Change Order. Execution of this Change Order shall constitute CONTRACTOR's complete acceptance and satisfaction that it is entitled to no more costs or time (direct, indirect, impact, etc.) Pursuant to this Change Order.

ACKNOWLEDGEMENTS The aforementioned change, and work affected thereby, is subject to all provisions of the original Agreement not specifically changed by this Change Order, and it is expressly understood and agreed that the approval of the Change Order shall have no effect on the original agreement other than matters expressly provided herein.

NOT VALID UNTIL SIGNED BY OWNER, ARCHITECT/ENGINEER AND CONTRACTOR

STEPHEN C. KILG

URS Corporation
ARCHITECT/ENGINEER

Bergeron Land Development

Public Works/Engineering

DEPT/DIV. Engineering

By: [Signature]

Date: 1-24-03

By: [Signature]

Address:

1520 Tropic Park Way,

Sanford, FL 32773

By: [Signature]

Date: 1/22/03

CONTRACTOR (Seal)

2710 Michigan Ave

Kissimmee, FL 34744

address [Signature]

By: [Signature]

Date: 1/21/03

Approved as to form & legal sufficiency:

[Signature]
County Attorney

2/10/03
Date

SEMINOLE COUNTY BOARD
OF COUNTY COMMISSIONERS

APPROVAL DATE: _____

DATE: _____

SEMINOLE COUNTY CHANGE ORDER # 06
CR 427 PHASE V & VI
CONTRACT FOR BERGERON LAND DEVELOPMENT
CONTRACT NO.: FC-1142-00/BJC

REASON FOR CHANGE (S):

- A. Seminole County requested to delete the 1-year landscaping maintenance requirement from the contract. Bergeron agreed that Seminole County would assume the maintenance of the landscaping and a credit is due to Seminole County for this item.
- B. Per the right-of-way acquisition two (2) canopies were to be relocated and a new driveway constructed at approximate Station 224+20. The relocation was not noted in the original bid documents. Seminole County has agreed to the negotiated price for this work.
- C. An agreement between Seminole County Board of County Commissioners and The Kids House of Seminole County provided a long-term lease to the property adjacent to Pond 4, Phase V. This lease agreement revised the pond design and required a permanent fence be installed around the entire perimeter of the pond. Seminole County has agreed to the negotiated price to install a fence around Pond 4, Phase V.
- D. Due to inclement weather and the adverse effects on Bergeron work crews progress 31 non-compensatory days will be added to the contract for: Jan. 2 and 14, 2002, Feb. 7 and 22, 2002, April 12, 2002, June 8, 14, 18, 21, 24, 27 and 28, 2002, July 9, 2002, August 7, 15, 16, 20 and 26, 2002, September 4, 13 and 23, 2002 and December 6, 9, 10, 13, and 20, 2002.
- E. After exploratory excavation, it was noted that the embankment was yielding. At various locations unsuitable material was identified and had to be removed to provide a stable roadway section.
- F. Due to the uncertainty of location and elevation of the existing storm drainage along CR-427 at SR-417 Seminole County requested Bergeron submit pricing to locate and raise the manholes along the existing storm system. Bergeron was required to raise the manholes along Gardens Ave. from plan elevations to meet existing conditions. Seminole County has agreed to the negotiated price to complete this work.
- G. Due to right-of-way issues and additional work to the original contract 60-days were granted as time extension following a schedule analysis of affected work activities.
- H. Per the contract agreement Bergeron requested and was granted time suspension for November 29, 2002 (Thanksgiving Day), December 25, 2002 (Christmas Day) and January 1, 2003 (New Years Day). A total of three days added to the contract as time suspension.

- I. Per the Property Acquisition agreement the existing fence had to be taken down and a new fence installed off the right-of-way at the property located at the northwest corner of CR-427 and Sunland Drive.
- J. Yard drains were required at several properties located throughout the project to maintain existing historic storm drainage patterns.